HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 3355 of 2007

DATED: 22-02-2007

Between:

Doddi Ambika

…Petitioner

and

The District Collector, Chittoor District,
Chittoor and another

…Respondents.

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 3355 of 2007

ORAL ORDER:

The writ petition is premature. Claiming apportionment and payment of the compensation amount to her in relation to the acquisition of certain lands specified in para 2 of the writ petition, the petitioner lodged claim, on19-11-2006 and another on 22-11-2006. The declaration under Section 6 of the Land Acquisition Act, 1894 (for short 'the Act') in respect of these lands was issued on 19-11-2006. The petitioner's grievance is that she is denied half share in the compensation amount as claimed. Even according to the petitioner, no award has yet been passed. The petitioner has lodged her objections to the claim and the claim has been communicated to the 2nd respondent. It is therefore the obligation of the 2nd respondent to determine the claim or refer it to the civil court for resolution of the competing claims to a share in the compensation amount. As no award has yet been passed, the grievance of the petitioner that her objections would not be considered, is speculative and based on a mere apprehension. If she is denied a share in the compensation amount, on her objections being rejected by the Land Acquisition Officer himself, as against such an award, the petitioner has a remedy under Section 18 of the Act.

On the aforesaid analysis, there are no merits in the writ petition. The writ petition is accordingly dismissed at the stage of admission. The petitioner may await passing of the award or a reference to the

civil court of her claim, by the Land Acquisition Officer. There shall be no order as to costs.

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GODA RAGHURAM, J

22-02-2007
GRR